

U.S. Department of Justice



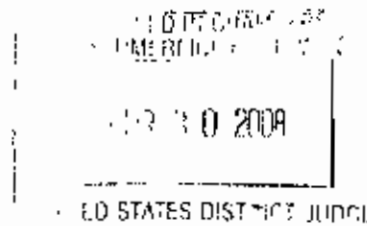
United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

April 30, 2008

BY HAND

Hon. Naomi Reice Buchwald
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Suite 2270
New York, New York 10007



Re: *In re Delphi Corporation*, 08 Civ. 3753 (NRB) (AJP)

Dear Judge Buchwald:

This Office represents the United States of America in the above-referenced bankruptcy appeal. By way of background, this appeal concerns a March 6, 2008 decision of the Bankruptcy Court denying the United States permission to file a claim on behalf of the Equal Employment Opportunity Commission because the bar date for pre-petition claims had passed, even though the EEOC only became aware of its claim when a Delphi employee filed a charge of discrimination, which occurred after the bar date.

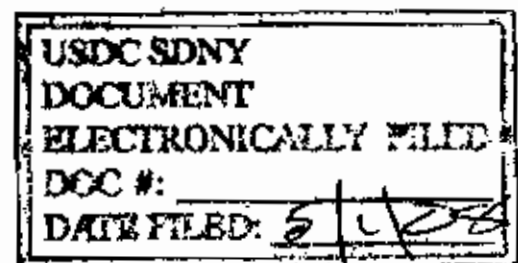
I have conferred with counsel for Delphi, and the parties propose the following briefing schedule for the appeal:

Appellant's Opening Brief to be filed on or before June 9, 2008
Appellee's Opposition Brief to be filed on or before June 30, 2008
Appellant's Reply Brief to be filed on or before July 14, 2008

So ordered.

Naomi Reice Buchwald

Entered, USDC
4/30/08



The parties respectfully request that the Court so-order this schedule.¹ Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By: 

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¹ Using the default time-frame set forth in the Federal Rules of Bankruptcy Procedure, the Clerk's Office has currently set the appellant's moving brief to be due by May 9, 2008. *See* Fed. R. Bankr. P. 8009(a)(1) ("Unless the district court . . . by order . . . specifies different time limits . . . [t]he appellant shall serve and file a brief within 15 days after entry of the appeal on the docket").